



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

March 28, 2006

Reply to
Attn Of: ECL-112

7004 1160 0005 6891 7980

**URGENT LEGAL MATTER
PROMPT REPLY NECCESARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED**

Philips S. Baker, Jr. CEO
Hecla Mining Company
Corporate Headquarters
6500 N. Mineral Drive
Suite 200
Coeur d'Alene, ID 83815-9408

John N. Galbavy, Registered Agent
Hecla Mining Company
Corporate Headquarters
6500 N. Mineral Drive
Suite 200
Coeur d'Alene, ID 83815-9408

Re: Administrative Order Directing Compliance with Request for Access Bunker Hill
Mining and Metallurgical Complex, Shoshone County, Idaho Docket
CERCLA-10-2006-0259

Dear Mr. Baker and Mr. Galbavy:

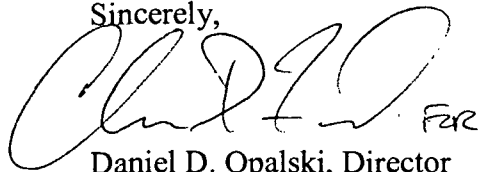
Attached please find an Administrative Order Directing Compliance with Request for Access issued under the authority of Section (104) e of the Comprehensive Environmental Response, Compensation and Liability Act, 42. U.S.C. §9604(e). The Order requires Hecla Mining Company ("Hecla") to grant EPA and its authorized representatives entry and access to properties owned by Hecla in Shoshone County, Idaho.

It is very important that you or your attorney respond to EPA as directed in Paragraphs 7.1 and/or 9.1 of this Order to indicate your intent to comply with the terms of this Administrative Order. Failure to respond on or before the effective date, which is five business days after your receipt of the Order, may result in the assessment of significant monetary penalties. EPA is available to meet with you in person or by telephone to discuss this Order and your compliance with it, as discussed in Section VII of the Order.



Thank you for your attention and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Opalski", with a stylized flourish at the end.

Daniel D. Opalski, Director
Office of Environmental Cleanup

Cc: Bill Adams, EPA
Ted Yackulic, ORC
Cara Steiner-Riley, ORC
Phil Wolf, Hecla

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Philips S. Baker, Jr. CEO

Hecla Mining Company

Corporate Headquarters

6500 N. Mineral Drive, Suite 200

Coeur d'Alene, Idaho 83815-9408

7980 7980 6893 0005 1160 4004

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Re: Administrative Order Directing Compliance with Request for Access Bunker Hill
Mining and Metallurgical Complex, Shoshone County, Idaho Docket
CERCLA-10-2006-0259

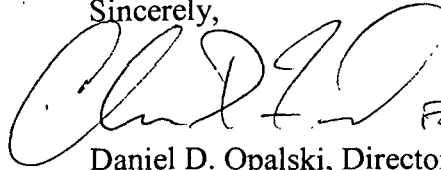
Dear Mr. Baker and Mr. Galbavy:

Attached please find an Administrative Order Directing Compliance with Request for Access issued under the authority of Section (104) e of the Comprehensive Environmental Response, Compensation and Liability Act, 42. U.S.C. §9604(e). The Order requires Hecla Mining Company ("Hecla") to grant EPA and its authorized representatives entry and access to properties owned by Hecla in Shoshone County, Idaho.

It is very important that you or your attorney respond to EPA as directed in Paragraphs 7.1 and/or 9.1 of this Order to indicate your intent to comply with the terms of this Administrative Order. Failure to respond on or before the effective date, which is five business days after your receipt of the Order, may result in the assessment of significant monetary penalties. EPA is available to meet with you in person or by telephone to discuss this Order and your compliance with it, as discussed in Section VII of the Order.

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A handwritten signature in dark ink, appearing to read "D. Opalski", with a stylized flourish at the end.

For
Daniel D. Opalski, Director
Office of Environmental Cleanup

Cc: Bill Adams, EPA
Ted Yackulic, ORC
Cara Steiner-Riley, ORC
Phil Wolf, Hecla

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

IN THE MATTER OF:	)	ADMINISTRATIVE ORDER
	)	DIRECTING COMPLIANCE
BUNKER HILL MINING AND	)	WITH REQUEST FOR ACCESS
METALLURGICAL COMPLEX)	
Shoshone County, Idaho	)	U.S. EPA Region 10
	)	CERCLA Docket No.
	)	03-06-____-CERCLA
HECLA MINING COMPANY)	
	)	Proceeding Under Section
	)	104(e) of the Comprehensive
	)	Environmental Response,
	)	Compensation, and Liability
	)	Act, as amended, 42 U.S.C.
	)	§ 9604(e)

I. JURISDICTION AND GENERAL PROVISIONS

1.1. This Administrative Order ("Order") is issued to Hecla Mining Company ("Respondent"), pursuant to the authority vested in the President of the United States by Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9604(e)(5), as amended ("CERCLA"), and the National Contingency Plan ("NCP"), 40 C.F.R. § 300.400(d). This authority was delegated to the Administrator of the United States Environmental Protection Agency ("EPA") on January 23, 1987, by Executive Order No. 12580, 52 Fed. Reg. 2923. This authority was delegated to the Regional Administrator of EPA Region 10 on May 11, 1994, and further delegated to the Director of the EPA Region 10 Office of Environmental Cleanup through delegation No. 14-14-B.

II. STATEMENT OF PURPOSE

2.1. This Order requires Respondent to grant EPA and its authorized representatives entry and access to the properties described in Paragraph 3.1. below ("the Properties") located in Shoshone County, Idaho, for the purpose of performing a Hydrologic Investigation in the Canyon Creek area of the Coeur d'Alene River Basin in northern Idaho. This Order further requires Respondent to refrain from interfering with access to the Properties by EPA and its authorized representatives for the purposes set forth herein.

III. FINDINGS OF FACT

3.1. Respondent owns or controls various real properties located in Shoshone County in the Coeur d'Alene River Basin of Northern Idaho ("Basin"). The properties are a part of the Bunker Hill Mining and Metallurgical Complex Superfund Facility, Operable Unit 3 ("Operable Unit 3"). The Properties that are the subject of this Order are depicted in the maps and figures that are attached to this Order as Attachment 1.

3.2. The Bunker Hill Mining and Metallurgical Complex Superfund Facility is listed on the CERCLA National Priorities List, 40 C.F.R. Part 300, App. B, pursuant to Section 105(a)(8)(B) of CERCLA, 42 U.S.C. § 9605(a)(8)(B).

3.3. EPA issued a Record of Decision ("ROD") for Operable Unit 3 in September 2002. The ROD addresses cleanup of mining-related contamination in the Basin. In the ROD, EPA determined that historic mining practices dating back to the late 1880s resulted in widespread contamination of the Basin, and that this contamination threatened both human health and the environment.

3.4. The contaminants in Operable Unit 3 are primarily metals. The metals considered of principal concern include lead and arsenic for protection of human health, and lead, cadmium and zinc for protection of ecological receptors. In studying the site, EPA focused on four geographic areas: the Upper Basin—the location of former and current mining, milling, and processing activities; the Lower Basin, including Coeur d’Alene River, adjacent lateral lakes, floodplain and associated wetlands; Coeur d’Alene Lake; and Depositional areas of the Spokane River.

3.5. In the ROD, EPA identified Canyon Creek in the Upper Basin as a major loader of dissolved metals to the South Fork of the Coeur d’Alene River (“South Fork”). One goal of the ROD is to substantially reduce dissolved and particulate metals loads discharging from Canyon Creek into the South Fork. The ROD’s benchmark for Canyon Creek is to reduce dissolved metals load discharging from the creek into the South Fork by at least 50 percent.

3.6. Pursuant to the ROD, a Canyon Creek Treatability Study was performed to assess water treatment technologies and develop cost-effective long-term solutions to improve water quality from Canyon Creek that will meet the goals of the Operable Unit 3 ROD. Bench and Pilot scale studies of this work have been completed. The studies identified several treatment approaches which can effectively treat groundwater with higher concentration contaminants.

3.7. However, before EPA can identify a treatment technology that will meet the ROD’s benchmark, EPA intends to develop this information by performing a Hydrologic Investigation in Canyon Creek. The study will provide additional information on the alluvial stratigraphy of the Canyon Creek drainage as well as groundwater levels and dissolved metals concentrations. As part of the study EPA intends to install and collect samples and data from multi-level groundwater monitoring well clusters and piezometers. The hydrologic data and information

from these wells and piezometers will support development of a groundwater flow model. These wells and piezometers also will become a core element of the overall remediation monitoring program to be established in Canyon Creek. The remedial monitoring program will be designed to collect pre-remedial action baseline data, to provide remedial action design information, and to provide follow-on remedial action performance monitoring. In addition, in order to evaluate the degree of hydraulic connection between Canyon Creek and the underlying aquifer, it is necessary to measure the temporal stage change in the creek during the spring snowmelt period. To accomplish this objective, EPA will install stream gauging stations at several locations.

3.8. EPA needs access to Respondent's Properties to collect data during the field data collection portion of the study. EPA intends the following types of activities on Respondents Properties:

- Construct access ways and access pads to support the drilling and well installation work and to provide access to the stream gauging stations;
- Install three (3) stream gauging stations along the edges of the existing Canyon Creek channel;
- Complete minor stream channel modifications to facilitate more accurate stream flow gauging;
- Install as many as eight (8) 4-inch diameter aquifer test wells and up to fifteen (15) 2-inch diameter monitoring wells in the alluvial testing and groundwater monitoring;
- Obtain soil and lithologic samples from the subsurface alluvium;
- Obtain groundwater and stream flow samples.

3.9. EPA estimates that it will need access to the Respondent's Properties for approximately 30 days. EPA will complete demobilization within 4-6 weeks. EPA will need continued access to the wells for periodic sampling, data collection, and maintenance for at least another 6-12 months after demobilization.

3.10. On March 7, 2006, EPA contacted Respondent to inform it of EPA's intention to conduct a Hydrologic Investigation in Canyon Creek that would involve the Respondent's Properties and explained that this work was a prerequisite for performing remedial action in the Upper Basin as described in the ROD. On March 17, 2006, EPA sent Respondent a letter requesting access to its Properties to place wells and perform the Hydrologic Investigation in Canyon Creek. A copy of EPA's letter is attached to this Order as Attachment 2.

3.11. On March 21, 2006, Respondent's representative, Dan Meyer, participated in a site walk-through with EPA's representatives to observe proposed monitoring well locations in Canyon Creek. Also on March 21, 2006, EPA received Respondent's response denying access to its Properties in Canyon Creek. A copy of Respondent's letter is attached to this Order as Attachment 3.

IV. CONCLUSIONS OF LAW AND DETERMINATIONS

Based upon the Findings of Fact set forth above and the Administrative Record supporting the ROD for Operable Unit 3, EPA has made the following determinations:

4.1. Respondent is a "person" within the meaning of Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

4.2. The Bunker Hill Mining and Metallurgical Complex Superfund Facility, Operable Unit 3, is a "facility" within the meaning of Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

4.3. Lead and zinc are hazardous substances or pollutants or contaminants within the meaning of Section 101(14) and 101(23) of CERCLA, 42 U.S.C. §§ 9601 (14) and (23).

4.4. The past and/or present disposal and migration or potential migration of a hazardous substance or pollutant or contaminant at or from the Properties constitutes an actual "release" or a threat of such a release into the "environment" within the meaning of Sections 101(8) and 101(22) of CERCLA, 42 U.S.C. §§ 9601(8) and (22), and thus there is a reasonable basis to believe that there may be a release or threat of release within the meaning of Section 104(e)(1) of CERCLA, 42 U.S.C. § 104(e)(1).

4.5. The Properties owned or controlled by Respondent referred to in Paragraph 3.1. above is, or is adjacent to, a place or property from or to which a hazardous substance or pollutant or contaminant has been or may have been released; and where such release is or may be threatened; and where entry is needed to determine the need for response, to identify the appropriate response, or to effectuate a response action within the meaning of Section 104(e)(3) of CERCLA, 42 U.S.C. § 9604(e)(3).

4.6. Entry to property owned or controlled by Respondent by the agents, contractors, or other representatives of the United States is needed for the purposes of choosing a response action, taking a response action, or otherwise enforcing the provisions of CERCLA, within the meaning of Section 104(e)(1) of CERCLA, 42 U.S.C. § 9604(e)(1).

4.7. EPA's request for access to the Properties has not been granted.

V. ORDER

5.1. Based upon the foregoing Findings of Fact, Conclusions of Law and Determinations, and the Administrative Record, Respondent is hereby ordered to provide EPA and its officers, employees, agents, contractors, and other representatives, full and unrestricted access at all reasonable times to the Properties for the purpose of conducting response activities, including but not limited to performing the Hydrologic Investigation in Canyon Creek and those activities identified in paragraph 3.8 of this Order.

5.2. Respondent shall not interfere with EPA's exercise of its access authorities pursuant to 42 U.S.C. § 9604(e) and 40 C.F.R. § 300.400(d), and shall not interfere with or otherwise limit any activity conducted at the Properties pursuant to this Order by EPA, its officers, employees, agents, contractors, or other representatives. Any such interference shall be deemed a violation of this Order.

5.3. Nothing herein limits or otherwise affects any right of entry held by the United States pursuant to applicable laws, regulations, or permits.

5.4. This Order shall apply to and be binding upon Respondent and its successors, heirs and assigns, and each and every agent of Respondent and upon all other persons and entities who are under the direct or indirect control of Respondent, including any and all lessees of Respondent.

5.5. In the event of any conveyance by Respondent, or Respondent's agents, heirs, successors and assigns, of an interest in the Properties, Respondent or Respondent's agents, heirs, successors and assigns shall convey the interest in a manner which insures continued access to the Properties by EPA and its representatives for the purpose of carrying out the activities pursuant to this Order. Any such conveyance shall restrict the use of the Properties so

that the use will not interfere with activities undertaken or to be undertaken by EPA and its representatives. Respondent, or Respondent's agents, heirs, successors and assigns shall notify EPA in writing at least thirty (30) days prior to the conveyance of any interest in the Properties, and shall, prior to the transfer, notify the other parties involved in the conveyance of the provisions of this Order.

VI. ENFORCEMENT

6.1. Compliance with this Order shall be enforceable pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5). A court may impose a civil penalty on Respondent of up to \$32,500 for each day that Respondent unreasonably fails to comply with this Order, as provided in Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5), and the Civil Monetary Penalty Inflation Adjustment Rule, 69 Fed. Reg. 7121, 40 C.F.R. Part 19.4. In addition, any person who is liable for a release or threat of release of a hazardous substance or pollutant or contaminant and who fails to comply with this Order may be liable for punitive damages in an amount up to three times the amount of any costs incurred by the United States as a result of such failure, as provided in Section 107(c)(3) of CERCLA, 42 U.S.C. § 9607(c)(3). Nothing herein shall preclude EPA from taking such other actions as may be necessary to protect the public health or welfare or the environment and recovering the costs thereof.

6.2. Nothing in this Order constitutes a waiver, bar, release, or satisfaction of or a defense to any cause of action which EPA has now or may have in the future against Respondent, or against any entity which is not a party to this Order.

6.3. Nothing in this Order shall affect in any manner the right of EPA to issue any

other orders to or take any other administrative or civil action against Respondent or any other parties under CERCLA which relate to this Properties or any other site.

6.4. Nothing in this Order constitutes a decision on preauthorization of funds under Section 111(a)(2) of CERCLA, 42 U.S.C. § 9611(a)(2).

VII. OPPORTUNITY TO CONFER

7.1. Within three business days after receipt of this Order by Respondent, Respondent may request a conference with EPA, to be held no later than two business days after Respondent's request, on any matter pertinent to this Order, including its applicability, the factual findings and the determinations upon which it is based, the appropriateness of any actions Respondent is ordered to take, or any other relevant and material issues or contentions which Respondent may have regarding this Order. Respondent may appear in person or by an attorney or other representative at the conference. Respondent may also submit written comments or statements of position on any matter pertinent to this Order no later than the time of the conference, or at least two business days before the effective date of this Order if Respondent does not request a conference. EPA will deem Respondent to have waived its right to the conference or to submit written comments if it fails to request the conference or submit comments within the specified time period(s). Any request for a conference or written comments or statements should be submitted to:

Bill Adams
U.S. Environmental Protection Agency
1200 Sixth Avenue, ECL-115
Seattle, WA 98101
206-553-2806

VIII. EFFECTIVE DATE; COMPUTATION OF TIME

8.1. Because of the immediate need to conduct the activities described above, this Order shall be effective five business days after its receipt by Respondent or Respondent's designated representative unless a conference is timely requested as provided above. If a conference is timely requested, then at the conclusion of the conference or after the conference, if EPA determines that no modification to the Order is necessary, the Order shall become effective immediately upon notification by EPA of such determination. If modification of the Order is determined by EPA to be necessary, the Order shall become effective upon notification by EPA of such modification. Any EPA notification under this paragraph may, at EPA's discretion, be provided to Respondent by facsimile, electronic mail, or oral communication; provided that if EPA does use such a form of notification, it will also confirm such notification by first class, certified or express mail to Respondent or its legal counsel. Any amendment or modification of this Order by EPA shall be made or confirmed in writing.

8.2. For purposes of this Order, the term "day" shall mean a calendar day unless expressly stated to be a business day. "Business day" shall mean a day other than a Saturday, Sunday, or federal legal holiday. When computing any period of time under this Order, if the last day would fall on a Saturday, Sunday, or federal legal holiday, the period shall run until the next business day.

IX. NOTICE OF INTENT TO COMPLY

9.1. On or before the effective date of this Order, Respondent shall notify EPA in writing whether Respondent will comply with the terms of this Order. Respondent's failure to notify EPA of its unconditional intent to fully comply with this Order by the time the Order

becomes effective shall be 1) construed as a denial of EPA's request for access, and 2) as of the effective date of the Order, treated as a violation of the Order. Such written notice shall be sent to:

Ted Yackulic
Office of Regional Counsel
United States Environmental Protection Agency
1200 Sixth Ave., ORC-158
Seattle, WA 98115
(206) 553-1218

X. TERMINATION

10.1. This Order shall remain in effect until Daniel D. Opalski, Director of the Office of Environmental Cleanup, or his designee notifies Respondent in writing that access to the Properties is no longer needed.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Daniel D. Opalski", is written over a horizontal line. To the right of the signature, the letters "FOR" are handwritten.

Daniel D. Opalski, Director
Office of Environmental Cleanup

Date: 3/29/06

Canyon Creek Hydro Investigation Access Areas

TO: Bill Adams/USEPA

COPIES: Chuck Gruenenfelder/CH2M HILL
Peter Lawson/CH2M HILL
Rebecca Maco/CH2M HILL
Craig Sauer/CH2M HILL

FROM: Jim Stefanoff/CH2M HILL

DATE: March 24, 2006

PROJECT NUMBER: 323031.ET.01

This memorandum provides a summary of locations where wells, piezometers, and stream gauging stations will be installed in support of the Canyon Creek hydrologic investigation. These are to be installed in March and early April in preparation for recording the Canyon Creek spring snowmelt hydrologic response in the Woodland Park area. Installation will be grouped in four areas. The general location of each area is described along with the monitoring components that will be installed at each, and how each area would be accessed.

Each area is referred to in this memorandum using the nomenclature established by Gary Barton (USGS) during his assessment of groundwater and surface water interaction in the Woodland Park area (Barton, 1999)¹. Table 1 summarizes the number of wells and piezometers to be installed in each area, and provides a description of the stream gage to be installed and the access. Figure 1 presents an overview of the study area. Figures 2 through 5 show each study area in more detail and routes of access.

¹ Barton, G. J., 2002, *Dissolved Cadmium, Zinc and Lead Loads from Ground-Water Seepage into the South Fork Coeur d'Alene River System, Northern Idaho*, 1999: Water-Resources Investigations Report 01-4274.

TABLE 1

Summary of Wells, Piezometers, Stream Gage Stations, and Access Description

Area	Number of Wells	Number of Piezometers	Gage Station Description	Access Description
A2 See Figure 2	2	3	Small stilling well structure instrumented with a pressure transducer and data logger to record stage height located on the southwest side of the creek, lateral intake pipe will extend subsurface from stilling well to creek bottom. Minor stream channel grading to facilitate flow measurement, and excavation to install stilling well intake pipe.	Construct new access suitable for a drill rig to install the wells and piezometers on the southwest side of the existing access road west of the creek. See Figure 2.
A4 East	2	3 or 4	Small stilling well structure instrumented with a pressure transducer and data logger to record stage height located on the southeast side of the creek, lateral intake pipe will extend subsurface from stilling well to creek bottom. Minor stream channel grading to facilitate flow measurement, and excavation to install stilling well intake pipe.	Use existing access way.
A4 West	2	3	No gage at this location.	Grade access south along base of tailings impoundment.
A6	2	4 or 5	Small stilling well structure instrumented with a pressure transducer and data logger to record stage height located on the southwest side of the creek, lateral intake pipe will extend subsurface from stilling well to creek bottom. Minor stream channel grading to facilitate flow measurement, and excavation to install stilling well intake pipe.	Use exiting access way along east side of creek to access the east side of A6. Some regrading may be necessary. New access needed through private property to access the west side of A6 or from Highway 4. Access off Highway 4 to the new separate piezometer north of A6 cluster will require some regrading and vegetation removal.

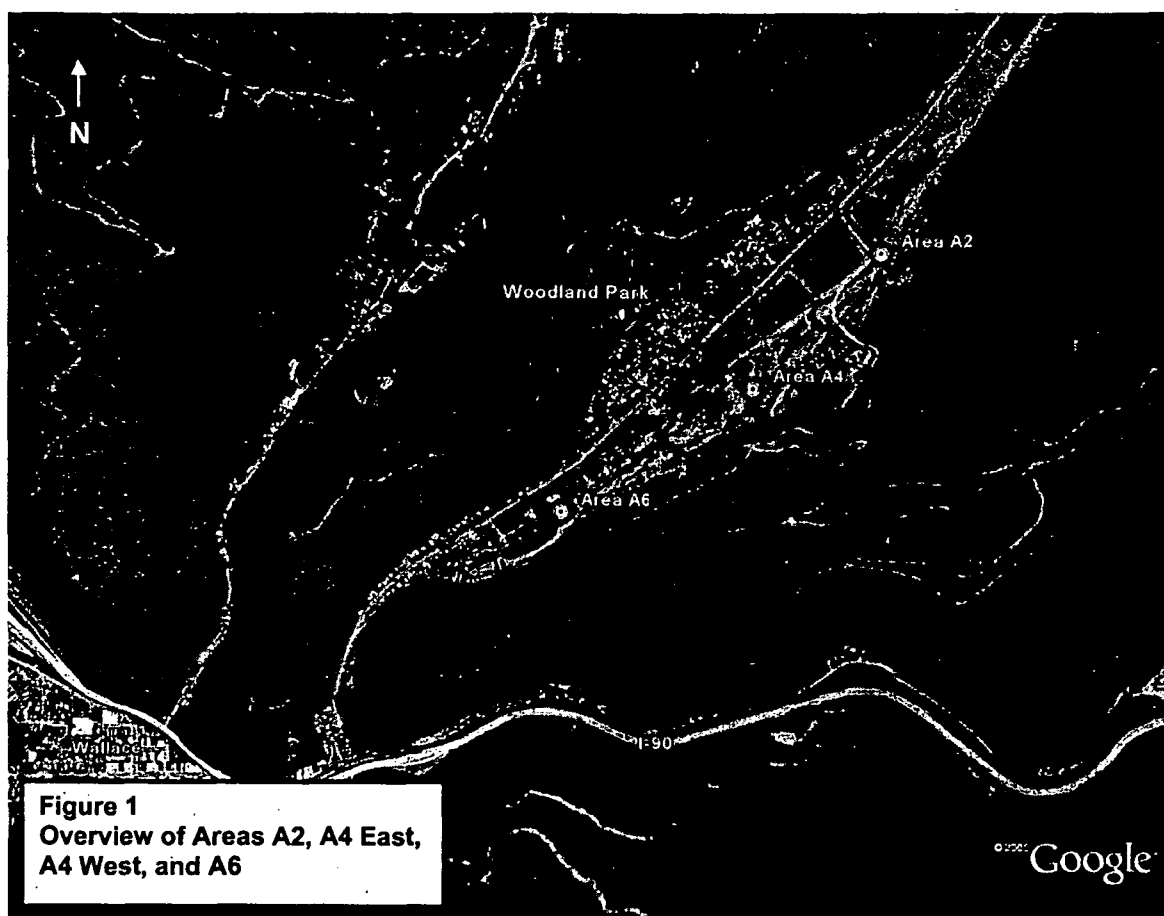
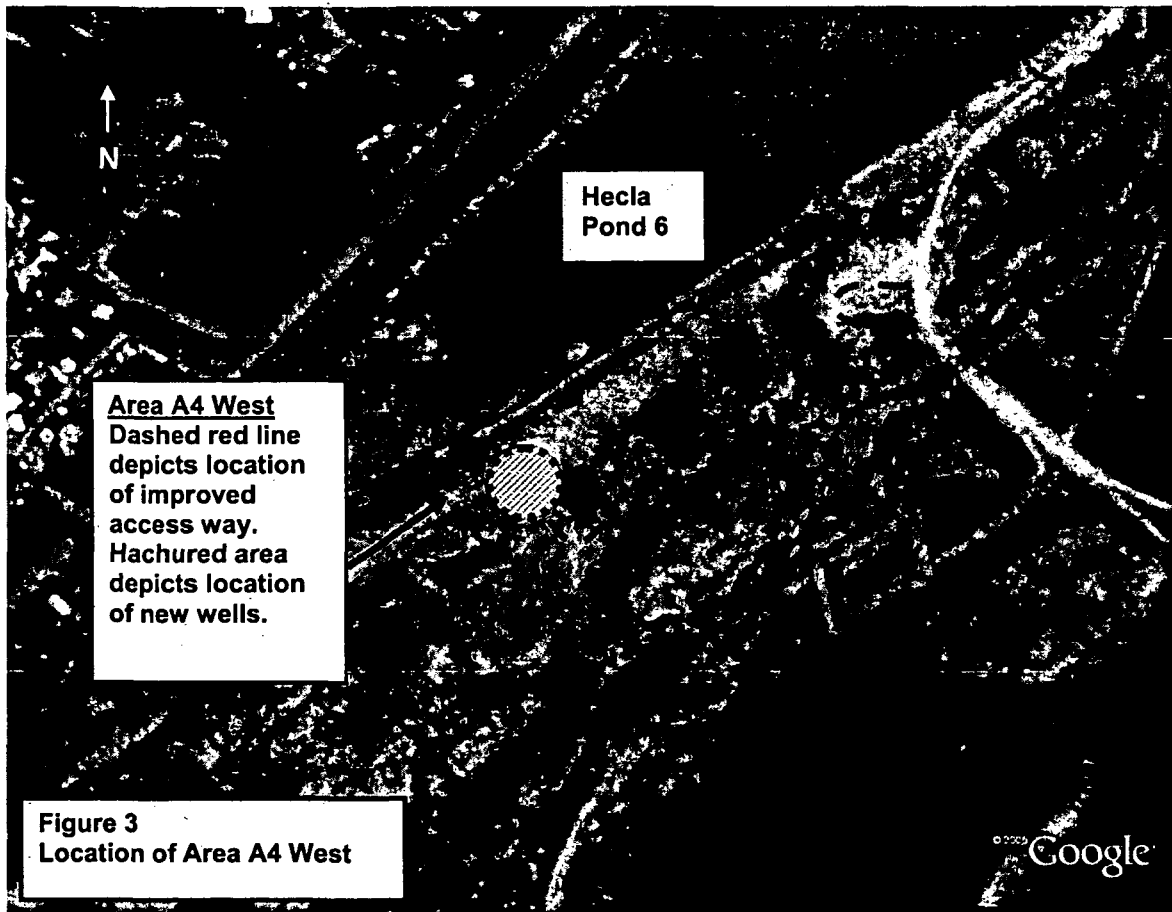
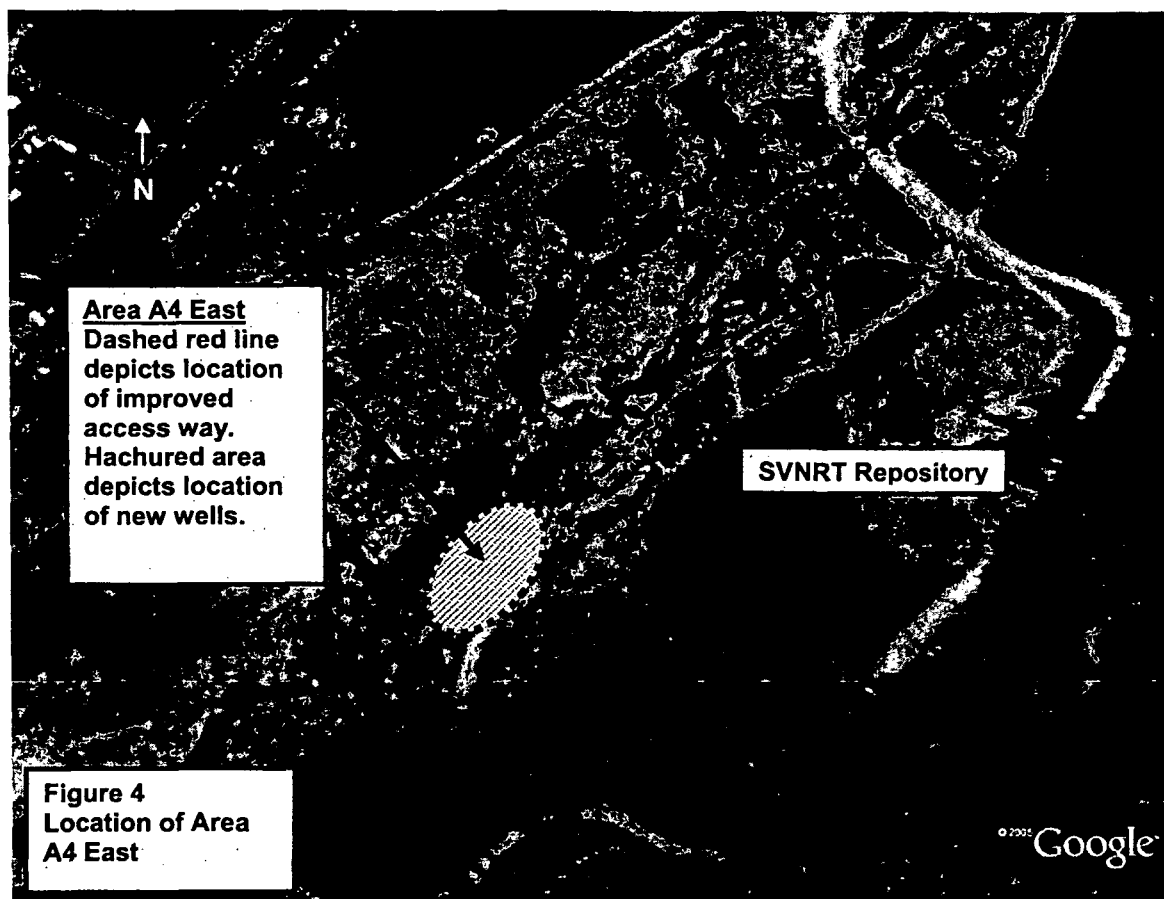
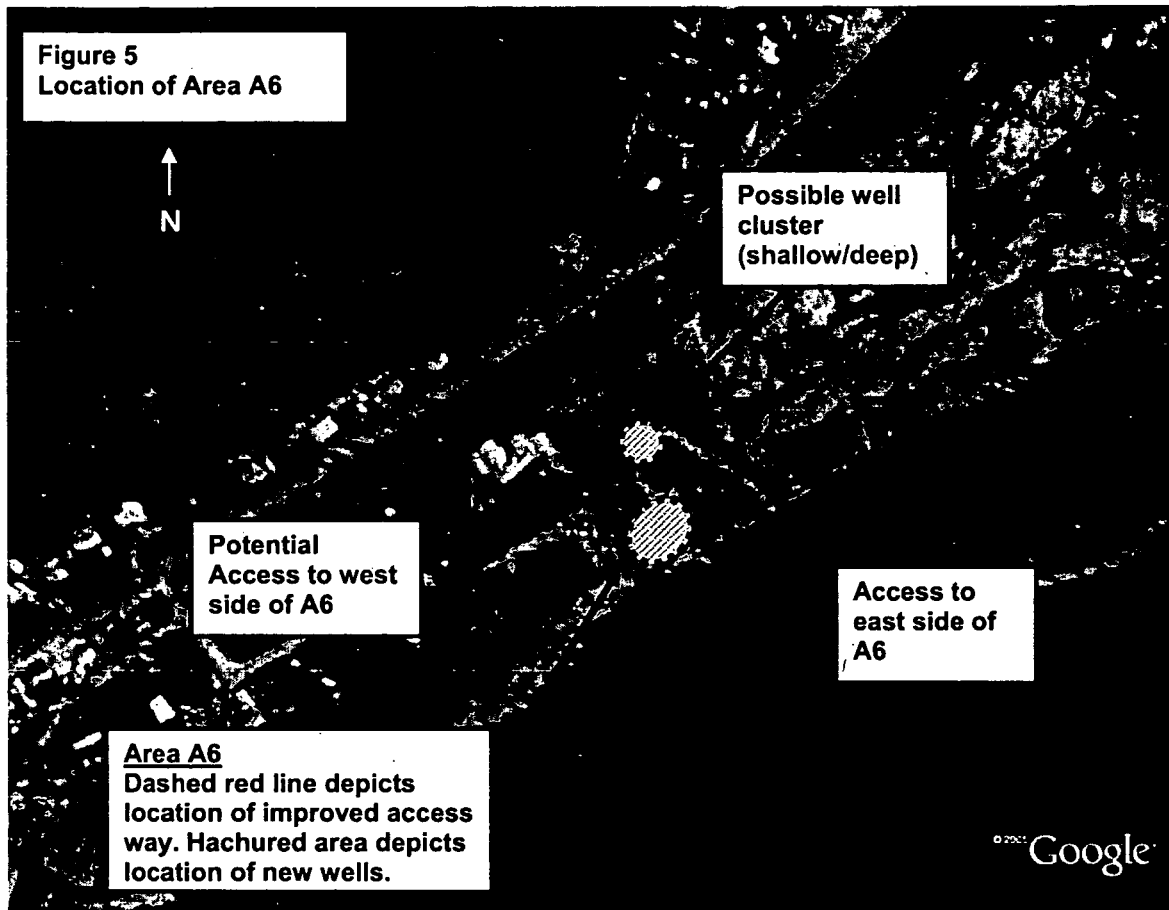


Figure 1
Overview of Areas A2, A4 East,
A4 West, and A6









TO: Bill Adams



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Seattle, WA 98101

March 17, 2006

Reply to
Attn Of: ECL-112

CERTIFIED MAIL -RETURN RECEIPT REQUESTED

**Paul Glader
Hecla Mining Company
6500 N. Mineral Drive, Suite 200
Coeur d'Alene, ID 83815-9408**

Re: Bunker Hill Superfund Site
Request for Access to Conduct Hydrologic Study in Canyon Creek

Dear Mr. Glader:

The purpose of this letter is to formally request access to Hecla property in Canyon Creek, Idaho in order to perform a hydrologic study. This is a follow-up to my emails on March 7th and March 16th, 2006.

As you know, the United States Environmental Protection Agency ("USEPA") has been implementing the Operable Unit 3 Record of Decision ("ROD") for the Bunker Hill Superfund Site for the past few years. Operable Unit 3 is commonly referred to as the Coeur d'Alene Basin. In the ROD, USEPA identified Canyon Creek in the Upper Basin as a major loader of dissolved metals to the South Fork of the Coeur d'Alene River ("South Fork"). One goal of the ROD is to substantially reduce dissolved and particulate metals loads discharging from Canyon Creek into the South Fork. The ROD calls for a minimum 50% reduction in dissolved metal load discharge from Canyon Creek to the South Fork. Consistent with its intent to achieve this load reduction using cost-effective treatment technology, the ROD mandated a Canyon Creek Treatability Study as a basis for establishing the treatment technology. The Canyon Creek load reduction represents the principal component of water treatment included in the ROD. The treatability study work has been completed and the findings are currently being evaluated. Through the treatability study we identified several treatment approaches which can effectively treat higher concentrated groundwater. However, before we can further consider treatment of groundwater to meet the goals of the ROD, we need to better understand the relationship between surface water and groundwater in Canyon Creek. To help answer this question we have developed a Hydrologic Study.

The overall objective of the study is to better define the mass flux of zinc, cadmium, and lead dissolved in groundwater to Canyon Creek, and ultimately the South Fork of the Coeur d'Alene River. The study consists of a field data collection effort (See

attached Scope of Work (SOW) which includes monitoring locations) followed by the development of a numerical groundwater model, and finally a screening of various remedial water collection alternatives that would be included in the overall Canyon Creek remedy. In order to complete this study in the desired timeframe it is imperative that we install and instrument the proposed monitoring wells and stage recording locations prior to April 15, 2006.

The study will provide additional information on the alluvial stratigraphy of the Canyon Creek drainage as well as groundwater levels and dissolved metals concentrations. Installation of three multi-level groundwater monitoring well clusters and up to 10 piezometers is planned to support this data requirement. The hydrologic data and information from these wells and piezometers will support development of a groundwater flow model. These wells and piezometers also will become a core element of the overall remediation monitoring program to be established in Canyon Creek. The remedial monitoring program will be designed to collect pre-remedial action baseline data, to provide remedial action design information, and to provide follow-on remedial action performance monitoring.

The groundwater monitoring well clusters will consist of two four-inch diameter monitoring wells per cluster; one with a total depth of approximately 15 feet, and the other with a total depth of approximately 35 feet. The shallow well will be screened from approximately 5 to 15 feet below ground surface (bgs) while the deeper well will be screened from approximately 25 to 35 feet bgs. Actual depths of construction will vary based on conditions encountered in the field. The wells will be installed using the air rotary drilling method. The piezometers will be 2-inch or 4-inch diameter single completions. At this point in time it is assumed that they all will be drilled to a depth of 30 feet and contain 10 feet of well screen. Actual completion depths may vary.

To evaluate the degree of hydraulic connection between Canyon Creek and the underlying aquifer, it is necessary to measure the temporal stage change in the creek during the spring snowmelt period. To accomplish this objective, stream stage recording stations will be installed in the creek at several locations, as close as it practical to the monitoring well clusters described above. At this time it is assumed that two stage recording structures will be installed on Canyon Creek in the vicinity of Woodland Park. Actual construction methods will depend on site conditions and the presence and nature of infrastructure available for use in the establishment of the measuring stations. It may be necessary to modify the creek channel cross section to establish accurate and reproducible stage monitoring locations.

In performing this work, USEPA intends to take steps to minimize disruption on Hecla's property, and will make every effort to accommodate your needs during the process.

Enclosed is an access agreement granting USEPA permission to enter upon Hecla's property to facilitate this study within Area A2 and A4 in the attached SOW. It is our understanding that area A6 is not on Hecla property and we will seek access to this area from the current owner. Pursuant to Section 104(e)(3)(D) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42

U.S.C. § 9607 ("CERCLA"), USEPA is authorized to enter upon property when entry is needed to effectuate a response action. Please sign the enclosed agreement by March 23, 2006, so that USEPA may commence work by early April 2006.

If you have any questions about this letter or want to discuss the work to be performed on this property, please contact me, at (206) 553-2806. If you have any legal questions, have your attorney contact Cara Steiner-Riley, Assistant Regional Counsel, at (206) 553-1142.

Sincerely,



Bill Adams
Remedial Project Manager

Enclosures

cc: Angela Chung, ECL
Cara Steiner-Riley, ORC
Mark Stromberg, IDEQ



March 21, 2006

Certified Mail 7004 2510 0002 7465 1657

Mr. Bill Adams
U.S. Environmental Protection Agency
Mail Stop ECL - 112
1200 Sixth Avenue
Seattle, WA 98101
206.553.2806

Reference: EPA Letter – Request for Access to Conduct Hydrologic Study in Canyon Creek

Dear Mr. Adams,

This letter is in response to your formal request dated March 17, 2006 to access Hecla property in Canyon Creek. As I stated to you, Hecla is not in a position to grant this access. This is because of the United States' position in the pending CDA Basin litigation on the Star Ponds and the inadequacies of the ROD for the Canyon Creek remedy.

We understand the EPA has the right to issue an order that would require access be granted. Should you issue such an order, we will process it in a timely manner.

If you have any questions please contact me at 208-769-4112.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul L. Glader", written over a horizontal line.

Paul L. Glader
Manager Environmental Services

Cc: M. White
P. Wolf

RECEIVED
MAR 23 2006
Environmental Cleanup Office

Attachment 3

CONCURRENCE SHEET

For

HECLA Access Order

3/27/2006

INITIAL	BA.	CG	TY	CSR	
NAME	Bill Adams	Cami Grandinetti	Ted Yackulic	Cara Steiner- Riley	
DATE	3/27/06.	3/28/06	3/28/06	3/28/06	

CONCURRENCE



EPA Form 1320-2
(Revised 4-77)

SIGNATURE



Michael
Wemigwans/R10/USEPA/US
03/29/2006 03:44 PM

To Bill Adams/R10/USEPA/US@EPA, Maxine
Guidry/R10/USEPA/US@EPA
cc
bcc

Subject Fed Ex Tracking...

From: Origin ID: (206)553-6509
ROWENA ARREOLA
US EPA REGION 10
1200 6TH AVENUE
9TH FLOOR, OMP-093
SEATTLE, WA 98101



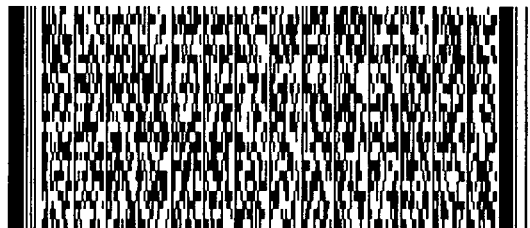
Ship Date: 29MAR06
Act Wgt: 1 LB
System#: 1845/25/INE 12400
Account#: S *****

REF: ECL112-B.Adams



Delivery Address Bar Code

SHIP TO: (206)553-2362 **BILL SENDER**
Philips Baker, Jr. CEO
Helca Mining Co.
6500 N. Mineval Drive
Suite 200
Coeur D'Alene, ID 838159408



PRIORITY OVERNIGHT

THU

Deliver By:
30MAR06

TRK# 7919 0119 8636

FORM
0201

GEG AA

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WU COEA



Michael Wemigwans, Mail Clerk
Native American Technology Corporation
serving the EPA Headquarters, Region 10
(206) 553-2362
wemigwans.michael@epamail.epa.gov

Lotus
Notes

Michael
Wemigwans/R10/USEPA/US

03/29/2006 03:47 PM

To Bill Adams/R10/USEPA/US@EPA, Maxine
Guidry/R10/USEPA/US@EPA

cc

bcc

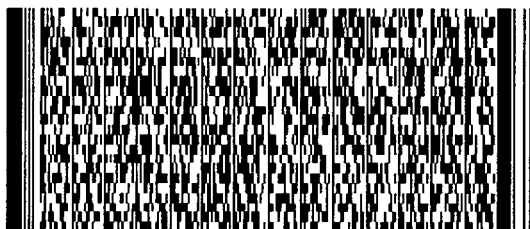
Subject Fed Ex tracking...

From: Origin ID: (206)553-0509
ROWENA ARREOLA
US EPA REGION 10
1200 6TH AVENUE
9TH FLOOR, OMP-093
SEATTLE, WA 98101



03/29/2006 03:47 PM

SHIP TO: (206)553-2362 **BILL SENDER**
John Galbavy, Reg. Agent
Helca Mining Co.
6500 N. Mineval Drive
Suite 200
Coeur D'Alene, ID 838159408



Ship Date: 29MAR06
Act/Wgt: 1 LB
System#: 1845/25:INE 12400
Account#: S *****

REF: ECL112-B.Adams



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Deliver By:
30MAR06

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Michael Wemigwans, Mail Clerk
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